

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Mayumi KOTANI et al.

Group Art Unit: 1655

Application No.: 10/537,339

Examiner: Amy Lynn Clark

Filed: June 2, 2005

Attorney Docket No.: 8156/84352

Confirmation No.: 3456

Customer No.: 42798

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants respond with traverse to the September 26, 2006 Requirement for Restriction and elect with traverse Group V claims for examination on the merits. The Requirement for Restriction does not appear to require a species election for Group V, which is Applicants' understanding.

Applicants respectfully request reconsideration and withdrawal of the restriction. Applicants appreciate the Examiner's effort in reviewing the originally submitted claims and for the preliminary prior art search. While Applicants may not concur with the Examiner's preliminary patentability conclusions, it is suggested that the art can be searched consistent with the claimed subject matter. Applicants caused in Information Disclosure Statement to be filed on June 2, 2005 and caused another Information Disclosure Statement to be filed on September 2, 2005. Applicants sought to discharge duty of candor obligations while concurrently reducing the search burden in view of the constructive guidance of M.P.E.P. Section 803 (all claims can and should be examined in one case when search burden is not undue).

Favorable action on the merits is requested.

Date: **October 16, 2006**

Respectfully submitted,

OFFICIAL CORRESPONDENCE TO
Customer No. 42798

FITCH, EVEN, TABIN & FLANNERY

FITCH, EVEN, TABIN & FLANNERY
One Lafayette Centre
1120 20th St. NW
Suite 750 South
Washington, DC 20036



Kendrew H. Colton
Registration No. 30,368
Tel: (202) 419-7000
Fax: (202) 419-7007